

Amendment No. 1 to HB1551

Lundberg
Signature of Sponsor

AMEND Senate Bill No. 1747

House Bill No. 1551*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 16-15-5003, is amended by deleting subsections (e), (f), (g), (h), (i) and (j) and adding the following new subsections:

(e)

(1) Effective September 1, 2014, each general sessions court judge, or any successor to that judge, shall receive the annual salary the judge receives as of August 31, 2014, as adjusted during their eight year term as provided for in subdivisions (e)(2)–(5) and subsections (f) and (g). On or before July 15, 2014, each general sessions court judge shall certify to the Administrative Office of the Courts (AOC) the total amount of the judge's actual compensation as of August 31, 2014, the jurisdiction exercised by the judge, the legal basis for exercising the jurisdiction, and the public or private act establishing that judge's court. When all judges have provided the required information to the AOC, the AOC shall report to each general sessions court judge the amount of compensation to be paid to the general sessions court judge beginning on September 1, 2014, based on the information provided by the judge. The AOC shall, thereafter, provide this compensation report, as adjusted, to each general sessions court judge by September 1 of each succeeding year. When a new court is created, a new judge takes office, a judge receives or loses a jurisdiction that impacts that judge's salary, or any similar change occurs, or upon the completion of a new federal census, the AOC shall take such information into consideration in

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preparing the annual compensation report. The AOC shall be the official repository of each general sessions court judge's current salary.

(2) Effective September 1, 2014, the annual salary for a general sessions court judge shall be the same as the general sessions court judge's salary on August 31, 2014.

(3) Effective July 1, 2016, the annual salary for a general sessions court judge shall be increased by the lesser of:

(A) First the adjustment in salary received in accordance with § 8-23-103 on July 1, 2016 and second by five thousand eight hundred dollars (\$5,800); or

(B) Five percent (5%) of the annual compensation and supplements and annual adjustments received by the general sessions court judge as of June 30, 2016.

(4) Effective July 1, 2018, the annual salary for a general sessions court judge shall be increased by the lesser of:

(A) First the adjustment in salary received in accordance with § 8-23-103 on July 1, 2018 and second by five thousand eight hundred dollars (\$5,800); or

(B) Five percent (5%) of the annual compensation and supplements and annual adjustments received by the general sessions court judge as of June 30, 2018.

(5) Effective July 1, 2020, the annual salary for a general sessions court judge shall be increased by the lesser of:

(A) First the adjustment in salary received in accordance with § 8-23-103 on July 1, 2020 and second by five thousand eight hundred dollars (\$5,800); or

(B) Five percent (5%) of the annual compensation and supplements and annual adjustments received by the general sessions court judge as of June 30, 2020.

(f) On July 1, 2015, July 1, 2017, July 1, 2019, and July 1, 2021, the annual compensation and supplements and annual adjustments established under this section shall be adjusted in accordance with § 8-23-103.

(g)

(1) Notwithstanding any law to the contrary, each general sessions court judge in a Class 1 county who is compensated under this section shall receive the same compensation as the most highly compensated general sessions court judge in a Class 1 county who is compensated under this section.

(2) Notwithstanding any law to the contrary, each general sessions court judge in a Class 2-7 county who is compensated under this section and who receives the maximum amount of annual supplements shall receive the same compensation as the most highly compensated general sessions court judge in the same county classification who is compensated under this section. All other general sessions court judges in Class 2-7 counties who are compensated under this section shall receive the same compensation as the most highly compensated general sessions court judge in the same county classification with the same jurisdiction who is compensated under this section; provided, however,

that no judge shall be paid a salary that reflects jurisdictional supplements that the judge is not entitled to receive by law.

(3) Notwithstanding any other law to the contrary, no judge of a general sessions court shall be paid a salary that is greater than the salary paid to a judge of a circuit court.

(4) With the exception of subdivision (g)(3) above, nothing in this part shall be construed as prohibiting a county, by public or private act or local ordinance, from compensating its general sessions court judge or judges at levels in excess of what is required by this section. Any public or private act or local ordinance in effect on September 1, 2014, that provides greater compensation for a general sessions court judge than is required by this section shall, to the extent of the judge's amount of compensation, prevail over this section. Notwithstanding any provision of this subsection (g) to the contrary, a general sessions court judge in a Class 6 county who receives no supplements and who is compensated under the provisions of a private or public act and not under this section shall receive the same increases provided in subsection (e).

(5) The judges of the general sessions court in any county with a population of not less than four hundred thirty-two thousand two hundred (432,200) nor more than four hundred thirty-two thousand three hundred (432,300), according to the 2010 federal census or any subsequent federal census, and that has a charter form of government shall receive the same annual compensation as the general sessions court judges in those counties with a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census.

(6) The judges of the general sessions court in any county with a population of not less than one hundred seventy-two thousand three hundred (172,300) nor more than one hundred seventy-two thousand four hundred (172,400), according to the 2010 federal census or any subsequent federal census, shall receive the same annual compensation as the general sessions court judges in those counties with a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census.

(h)

(1) Each general sessions court judge and clerk shall work with the AOC to develop a system to provide for the annual reporting of case data from the general sessions courts to the AOC, subject to the availability of sufficient state and county funding to support this system.

(2) The progress towards the development of the system identified in subdivision (h)(1), and any data obtained under subdivision (h)(1), shall be reported by the AOC by no later than February 1, 2015, and February 1 of each succeeding year, to the governor, the comptroller, and the chairs of the judiciary committee of the senate and the civil justice committee of the house of representatives.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.